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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE TERRITORY OF GUAM

11 UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 07-00075
12 Plaintiff,)
13 vs.) SUBMISSION OF
14) JURY INSTRUCTION
15 NATHANIEL DIAZ PUNZALAN,)
16 Defendant.)

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18 The United States of America, by and through its undersigned counsel, hereby submits
19 the following proposed jury instruction.

20 Dated this 12th day of August, 2008.

21 LEONARDO M. RAPADAS
22 United States Attorney
Districts of Guam and NMI

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24 By: _____
ROSETTA L. SAN NICOLAS
25 Assistant U.S. Attorney
26
27
28

INSTRUCTION NO. _____

**TESTIMONY OF WITNESSES INVOLVING SPECIAL CIRCUMSTANCES –
IMMUNITY, BENEFITS, ACCOMPLICE, PLEA**

You have heard testimony from Richard J. Ichihara, a witness who has pled guilty to a crime. This guilty plea is not evidence against the defendant, and you may consider it only in determining this witness's believability.

For this reason, in evaluating Richard J. Ichihara's testimony, you should consider the extent to which or whether Richard J. Ichihara's testimony may have been influenced by this factor. In addition, you should examine Richard J. Ichihara's testimony with greater caution than that of other witnesses.

AUTHORITY: Manual of Model Jury Instructions for the
Ninth Circuit, 2003 Ed., § 4.9